



**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

THOMAS D. DOMONOSKE,
individually and on behalf of all those
similarly situated
Plaintiff,

v.

BANK OF AMERICA, N.A.,
Defendant.

Civil Action No. 5:08CV0066

ORDER

By: Samuel G. Wilson
United States District Judge

On September 30, 2009, the plaintiffs in this case filed a Motion for Preliminary Approval of a Class Settlement, seeking to certify a class for settlement purposes only, and preliminary approval of a proposed settlement agreement with Bank of America (the Bank). That motion was referred to the magistrate judge for a report and recommendation. The magistrate judge recommended preliminary class approval, but expressed reservations about certain provisions of the proposed agreement. On April 15, 2010, this court denied the motion on the ground that it would not grant "Injunctive Relief" to the Bank as contemplated by Section 7 of the proposed settlement agreement. On May 6, 2010, the parties filed a joint submission in which the Bank advised the court that it would proceed with the settlement without the injunction provisions of Section 7. In light of that submission, it is hereby **ORDERED** that the parties submit a proposed Order of Preliminary Class Certification for Settlement Purposes, as well as a revised settlement agreement reflecting the changes envisioned by the Bank.

ENTER: This 17th day of June, 2010.


UNITED STATES DISTRICT JUDGE